

IMP 010

Service Letters

Service letters are required by statute. The Delaware Department of Labor has enforcement authority through the use of civil monetary penalties (CMP).

“No employer who operates a health care facility and/or child care facility, or provides health, nutritional or personal care in such a facility, shall hire any person seeking employment without obtaining 1 or more service letters regarding that person, provided such person has been previously employed. The service letter(s) obtained must include a service letter from the person’s current or most recent previous employer. In addition, if a person seeking employment was employed in a health care facility and/or child care facility within the past 5 years, the employer shall also obtain a service letter from such employer(s). If the person seeking employment has not been previously employed, or was self employed, then the employer must require the person to provide letters of reference from 2 adults who are familiar with the person, but are not relatives of the person.” [19 Del.C. §708\(b\)](#).

The above-quoted legal obligation will be facilitated by the BCC. The termination process for the BCC provides the employer with an opportunity to complete a service letter. That letter will be available in the system for 5 years so that subsequent employers do not have to respond to any service letter requests.

The benefits of the service letter component will be realized over time because the system cannot accommodate service letters for persons no longer employed when the BCC is activated. In other words, people employed before the BCC is activated are not and will not be included in the system. Service letters will be available only for persons who have once been listed on the BCC. A request for a service letter can be made through the BCC to a previous employer.

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